

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

RICHARD M. ELBERT)
)
Plaintiff,)
)
v.) Case No. 11-0428-CV-W-HFS
)
CITY OF KANSAS CITY, MISSOURI,)
et al.,)
Defendants.)

ORDER

Plaintiff seeks to join as parties various named members of the Board of Police Commissioners, as well as their Secretary-Attorney (Doc. 102). This motion tacitly concedes plaintiff's error in naming the Board as such, which is the target of one point in a motion to dismiss (Doc. 87). The Board will be dismissed in due course, but consideration is here given to joining the members. This case is complicated enough without burdening it with unnecessary parties. Plaintiff suggests no plausible basis for alleging Board policy or a Board deficiency of legal significance that would create liability outside the nine individual Police Department actors already in the case. It will be time enough, once good cause appears, to join members of the Board, and conceivably their attorney.¹

The motion to join parties (Doc. 102) is DENIED, without prejudice to renewal if good cause appears. The clerk of the court is directed to mail a copy of this order by regular mail and

¹I do note that David Kenner is a former law clerk from an early period of my judgeship. I have no reason to believe he will become a figure of contention in the case. If he does, recusal will be considered.

certified mail, return receipt to plaintiff at:

5005 Olive Street

Kansas City, Missouri 64130

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

March 21, 2013

Kansas City, Missouri